

Application No. 10/807,463
Amendment Dated 6/5/07
Reply to Notice of Allowance of 5/25/07

This listing of claims will replace all prior versions, and listings, of claims in the application:

In the Claims:

1. (ORIGINAL) A kit for placing an implant into a disk space between opposing vertebrae having opposing end plates to be separated by a predetermined degree of lordosis, said kit comprising:

(A) an implant having:

a generally frusto-conical hollow body having:

- a leading end

- a trailing end comprising:

a trailing end rise

a terminal end

a longitudinal axis

a first taper increasing from said leading end to said trailing end rise; and

a second taper increasing from said terminal end to said terminal end rise

said first taper of said frusto-conical body having a conical angle approximating said degree of lordosis;

an implant thread pattern surrounding said body;

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openings formed through a conical wall of said body into an interior of said body with said openings formed at least on diametrically opposite sides of said body;

(B) a tap having:

a shaft defining a longitudinal axis;

a tapping head at a distal end of said shaft, said tapping head having a tapping thread surrounding said axis with a thread pattern substantially matching said implant thread pattern;

said tapping thread includes a plurality of peaks and valleys defining a conical path around said axis with a leading end tap diameter adjacent said distal end and with a trailing end tap diameter spaced from said distal end, said trailing end tap diameter being greater than said leading end tap diameter;

said leading end tap diameter being substantially equal to said leading end implant diameter.

2. (ORIGINAL) A kit according to claim 1 wherein

said tapping head includes a hollow body defining a tap interior;

a plurality of channels for directing tapped debris from said tapping thread into said tap interior.

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3. (ORIGINAL) A kit according to claim 2 wherein said tapping thread includes a plurality of axially extending grooves through said thread, said channels formed through said grooves and into said interior.
4. (ORIGINAL) A kit according to claim 2 wherein said channels are formed through said valleys.
5. (ORIGINAL) A kit according to claim 2 wherein an axial end of said interior is closed at said distal end.
6. (ORIGINAL) A kit according to claim 1 wherein said implant thread has a generally flat radial extremity in a surface of a cone defined by said implant thread.
7. (ORIGINAL) A kit according to claim 6 wherein said tapping thread has a sharp radial extremity.

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8. (ORIGINAL) A kit according to claim 1 further comprising a distraction spacer having:

a rigid spacer body;

said body having at least diametrically opposite exterior surfaces defining an angle substantially equal to said degree of lordosis.

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9. (ORIGINAL) An implant for placement into a disk space between opposing vertebrae having opposing end plates to be separated by a predetermined degree of lordosis, said implant comprising:

- (A) a generally frusto-conical hollow body having:
 - (1) a leading end with a leading end diameter;
 - (2) a trailing end comprising:
 - a trailing end rise having a trailing end rise diameter;
 - a terminal end having a terminal end diameter;
 - (3) a first taper increasing from said leading end diameter to said trailing end rise diameter; and
 - (4) a second taper increasing from said terminal end diameter to said trailing end rise diameter.

10. (ORIGINAL) An implant according to claim 9 comprising an implant thread pattern surrounding said body;

openings formed through a conical wall of said body into an interior of said body with said openings formed at least on diametrically opposite sides of said body.

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11. (ORIGINAL) An implant according to claim 10 wherein sides of said body between said diametrically opposite sides are recessed inwardly from a cone defined by said frusto-conical body.

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12. (PREVIOUSLY PRESENTED) A distraction spacer for placing an implant into a disk space between opposing vertebrae having opposing end plates separated by a predetermined degree of lordosis, said distraction spacer comprising:

- a main body;
- first and second diametrically opposed surfaces having a leading end and a trailing with a longitudinal axis passing therethrough, said first and second opposed surfaces extending predominantly in the direction of the longitudinal axis; and
- said first and second diametrically opposed surfaces converging towards said longitudinal axis from said trailing end to said leading end;
- wherein said first and second diametrically opposed surfaces are flat surfaces.

13. CANCELED.

14. CANCELED.

15. (CURRENTLY AMENDED) A distraction spacer according to claim [[14]] 12 wherein said main body between said diametrically opposed surfaces is arcuate.

16. (ORIGINAL) A distraction spacer according to claim 12 further including an internal axial threaded bore at said trailing end.

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17. (ORIGINAL) A distraction spacer according to claim 15 further including a bore passing through said diametrically opposed arcuate surfaces.

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18. (PREVIOUSLY PRESENTED) A distraction spacer for placing an implant into a disk space between opposing vertebrae having opposing end plates separated by a predetermined degree of lordosis, said distraction spacer comprising:

a main body;

first and second diametrically opposed surfaces having a leading end and a trailing with a longitudinal axis passing therethrough; said first and second opposed surfaces extending predominantly in the direction of the longitudinal axis said first and second diametrically opposed surfaces converging towards said longitudinal axis from said trailing end to said leading end;

wherein said main body is a frusto-conical shape and said first and second diametrically opposed surfaces are portions of said frusto-conical shape.